

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

RAY CRAWFORD

CHAPTER 13 CASE NO.:

22-12972-JDW

NOTICE OF AMENDED OBJECTION TO PROOF OF CLAIM

YOU ARE HEREBY NOTIFIED that an objection to your Proof of Claim (“Claim”) has been filed in the above referenced bankruptcy case. Your Claim may be reduced, modified, or eliminated. If you do not want the Court to eliminate or change your Claim, a written response to the attached Objection to Proof of Claim must be filed with:

Shallanda J. Clay, Clerk of Court
U. S. Bankruptcy Court
Northern District of Mississippi
703 Highway 145 North
Aberdeen, MS 39730

and a copy must be served on the undersigned Chapter 13 Trustee and the Debtor(s) attorney on or before thirty (30) days from the date of this Notice. In the event a written response is filed, the Court will notify you of the date, time, and place of the hearing thereon.

Dated: January 11, 2023.

**LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE**

/s/ W. Jeffrey Collier
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
ssmith@barkley13.com

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

RAY CRAWFORD

CHAPTER 13 CASE NO.:

22-12972-JDW

**AMENDED OBJECTION TO
PROOF OF CLAIM OF SMART SALES AND LEASE (CLM. #7-1)**

This filing amends the prior Objection to Proof of Claim of Smart Sales and Lease (Clm. #7-1) (Dkt. #16). Amendments are shown in *italics* and strikethrough.

COMES NOW Locke D. Barkley, Chapter 13 Trustee (the “Trustee”), by and through counsel, and files this Objection to the Proof of Claim of Smart Sales and Lease (Clm. #7-1) (the “Objection”); and in support thereof states as follows:

1. On December 16, 2022, Smart Sales and Lease (the “Creditor”) filed its Proof of Claim (Clm. #7-1) in the amount of \$1,378.64 (the “Claim”). The Creditor provides in Sections 8 and 10 of the Claim that the basis for the indebtedness is a lease, which is supported by the documents attached to the Claim.

2. The Trustee submits that the amount of \$1,378.64 as stated in Section 7 of the Claim is overstated, as it includes amounts that are not owed to the Creditor as of the date the petition was filed. Per the Claim, the prepetition default is \$0.00 which is consistent with the Statement attached to the Claim (*See* Clm. #7-1, Attachment #1). The lease was current as of the petition date of November 14, 2022.

3. The Trustee requests that the Claim be allowed but the amount reduced from \$4,226.48 \$1,378.64 to \$0.00.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that upon notice and hearing that this Court enter its order sustaining the Objection and for such other relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: January 11, 2023.

Respectfully submitted,

**LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE**

BY: /s/ W. Jeffrey Collier
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
ssmith@barkley13.com

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Smart Sales and Lease
3220 West Main Street, Suite 200
Rapid City, SD 57702-2316

Dated: January 11, 2023.

/s/ W. Jeffrey Collier
W. JEFFREY COLLIER